



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

February 16, 2007

IN REPLY REFER TO

HDA-CA

Document #: S50160

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Federal Resources Office, MS #82
For Rachel, Falsetti, Transportation Programming

Dear Mr. Kempton:

SUBJECT: FY 2007 FTIP Amendment No. 2 – San Joaquin Council of Governments
(SJCOG)

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 2 to the SJCOG 2007 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated February 8, 2007. SJCOG adopted Amendment No. 2 with Resolution No. R-07-23 on January 25, 2007. With that action, the SJCOG Board of Directors approved the program modifications and reaffirmed the consistency of the SJCOG FTIP with the applicable State Implementation Plan (SIP) for air quality.

The SJCOG 2007 FTIP Amendment No. 2 deletes two projects in the FTIP, adds two new FTA projects into the FTIP, and modifies five existing projects. The deleted projects include one Demo project and one CMAQ project that was delivered with local funds. The two new projects were both transit projects. The modified projects involve the switch of \$300,000 in CMAQ funds from one transit project to another, a move of lump sum program funds from FY06/07 to FY 07/08, and a change in the funding for transit operating assistance for transit in FY 06/07, FY 07/08 and FY 08/09.

Pursuant to the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX*, we accept the modifications to the 2007 Federal Statewide Transportation Improvement Program (FSTIP) for the SJCOG region in accordance with the Federal statewide and metropolitan transportation planning regulations codified in 23 CFR Part 450. We find that SJCOG's 2007 FTIP, through Amendment No. 2, was developed through a continuing, cooperative, and comprehensive transportation planning process carried out in accordance with the metropolitan planning provisions of 23 U.S.C. Chapter 134, and 49 U.S.C. Chapter 53. This approval is provided with the understanding that the FTA funding approval on the individual projects

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contained in the FSTIP are subject to grantees meeting all necessary FTA administrative requirements.

We have determined that this program modification is exempt from the regional emissions analysis requirements pursuant to the transportation conformity provisions found in 40 CFR Part 93 Sections 126 and 127. This finding has been coordinated with Region 9 of the Environmental Protection Agency (EPA) in accordance with the procedures outlined in the *National Memorandum of Understanding between DOT and EPA on Transportation Conformity*, dated April 25, 2000. Therefore, we find that the FTIP continues to conform to the applicable State Implementation Plan (SIP).

This letter constitutes approval and inclusion of the SJCOG's FTIP Amendment No. 2 into California's 2006/07 – 2008/09 FSTIP.

If you have questions or need additional information concerning our approval for this SJCOG FSTIP amendment, please contact Steven Luxenberg (steve.luxenberg@fhwa.dot.gov) of the FHWA California Division office at (916) 498-5066.

Sincerely,

/s/ K. Sue Kiser

For
Gene K. Fong
Division Administrator

cc: (e-mail)

Karina O'Connor, EPA

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SJCOG TIP Binder

sluxenberg/ac